

REMARKS

The foregoing amendments and the following remarks are responsive to the Office Action mailed November 17, 2003. Applicants respectfully request reconsideration of the present application.

Claims 1-50 are pending. Claim 13 has been amended. Claims 14 and 15 have been cancelled. New claims 51 and 52 have been added. Therefore, claims 1-13, and 16-52 are presented for examination.

Examiner rejected claims 1-6 and 9-48 under 35 U.S.C. §102(b) as being unpatentable over U.S. Patent No. 5,915,112 issued to Boutcher. Examiner rejected claims 7-8 and 49-50 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,915,112 issued to Boutcher in view of U.S. Patent 5,928,325 issued to Shaughnessy, et al.

Boutcher discusses a remote procedure interface with support for multiple versions. Boutcher's system is designed for "handing of remote procedure calls between client and server computer processes resident on separate computer systems coupled through a network in a distributed computer system. (Boutcher, column 5, lines 52-56). Boutcher's client and server are coupled through a LAN (local area network) or WAN (wide area network). Boutcher does not teach or suggest determining command information to allow the client device to invoke execution of a driver on the host device. Rather, Boutcher is concerned with distributed computing, where only remote procedure calls are communicated between two computer systems.

Claim 1, in contrast, recites:

In a computer environment where devices are occasionally connected together, a method for automated transmission and execution of an executable file of interest originating from a first device, upon the first device's connection to a second device, the method comprising:

connecting the first device to at least one other device capable of hosting the first device;

identifying at least one particular host device that is connected to the first device, including determining communication information allowing communication between the first device and the particular host device, and

determining command information allowing the first device to invoke execution of the application or driver of interest at the particular host device;

based on said determined communication information, transmitting the executable file of interest from said first device to the particular host device;
and

based on said determined command information, invoking execution of the executable file of interest after it has been transmitted to the particular host device.

(Claim 1, emphasis added). As noted above, Boutcher does not teach or suggest allowing a first device to invoke execution of an application or driver at a particular host device. The Examiner points to the Summary of the Invention, which states that “a method is provided for transmitting a program product to a computer system.” However, Boutcher clarifies that the program product is a remote procedure call, which is distinct from an application or a driver. Furthermore, Boutcher does not address establishing communication between the devices, and does not teach or suggest determining communication information allowing communication between the first device and the second device. Therefore, claim 1, and claims 2-40 which depend on it, are not anticipated by Boutcher.

With respect to claim 3, in particular, the Examiner asserts that the mapping of Boutcher is equivalent to a driver file, uploaded from a second device, controlling the operation of a first device. Applicants respectfully disagree. Nowhere in Boutcher is there any suggestion of controlling a device using a driver. Rather Boutcher simply uses remote procedure calls. Therefore, claim 3 is not obvious over Boutcher.

Claim 41 similarly recites:

A multi-device system providing automated loading and execution of a driver required for connected devices, the system comprising:

a first device that may be connected to a second device that is capable of hosting the first device; and

a subsystem, incorporated in the first device, for automatically:

(1) identifying the second device upon connection to the first device, said subsystem initiating communication between the two devices;

(2) uploading the driver of interest from the first device to the second device; and

(3) transmitting at least one command from the first device that invokes execution of the driver of interest at the second device, whereupon the driver executes at the second device for controlling operation of the first device.

(Claim 41). As noted above, Boutcher does not teach or suggest uploading a driver, and then transmitting commands from the first device to the second device. Rather, Boutcher sends a remote procedure call to the remote device. Therefore, claim 41, and claims 42-50 which depend on it, are not anticipated by or obvious over Boutcher.

Newly added claim 51 recites:

A client device comprising:
a physical manager identify a host coupled to the client device;
a TCP/IP stack to initiate a communication session with the host;
an application/driver uploader to upload an executable object of interest onto the host device, the executable object of interest determined based on the identity of the host device determined by the physical manager;
and
a file handle returned to the client device by the host device to allow the client device to perform a variety of operations on that file as it resides at the host device, including starting up the file as an application or driver.

(Claim 51). Boutcher does not teach or suggest uploading an executable object of interest, where the identity of the executable object of interest is determined based on the identity of the host device. Therefore, claim 51, and claim 52 which depends on it, are not anticipated by or obvious over Boutcher.

Shaughnessy discusses a method of dynamically establishing communications of incoming messages to user devices of an intended recipient. The system of Shaughnessy uses a standard messaging protocol to send messages. There is no suggestion in Boutcher or Shaughnessy for the combination suggested by the Examiner. Furthermore, Shaughnessy does not furnish the missing elements of Boutcher. Therefore, the claims are not obvious over Boutcher in view of Shaughnessy.


In view of the foregoing amendments and remarks, Applicants respectfully submit that all pending claims are in condition for allowance. Such allowance is respectfully requested.

If the Examiner finds any remaining impediment to the prompt allowance of these claims that could be clarified with a telephone conference, the Examiner is respectfully requested to contact Judith A. Szepesi at (408) 720-8598.

If there are any additional charges, please charge Deposit Account No. 02-2666.

Respectfully submitted,

Date: 2/17 2004



Judith A. Szepesi
Reg. No, 39,393

12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025
(408) 720-8598